

ZIMBABWE 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Zimbabwe is constitutionally a republic. The country elected Emmerson Mnangagwa president for a five-year term in the 2018 general elections. Despite incremental improvements from past elections, domestic and international observers noted serious concerns and called for further reforms to meet regional and international standards for democratic elections. Numerous factors contributed to a flawed election process in 2018, including: the Zimbabwe Election Commission's lack of independence; heavily biased state media favoring the ruling party; voter intimidation; the unconstitutional influence of tribal leaders; failure to provide an electronic preliminary voters roll; politicization of food aid; security services' excessive use of force; and lack of transparency concerning election results. Some of these factors reemerged in numerous by-elections during the year and in the early stages of the electoral process for the 2023 general elections. The ruling party leads the government with a supermajority in the National Assembly but not in the Senate.

The Zimbabwe Republic Police maintains internal security. Police and the Department of Immigration, both under the Ministry of Home Affairs, are primarily responsible for migration and border enforcement; a group of senior force commanders may direct police to respond to civil unrest. The Zimbabwe National Army and Air Force constitute the Zimbabwe Defense Forces and report to a commander who falls under the minister of defense. The military also has some domestic security responsibilities. The Central Intelligence Organization, under the Office of the President, engages in both internal and external security matters. Civilian authorities at times did not maintain effective control over security forces. There were reports that members of the police, military, and intelligence service committed numerous abuses throughout the country.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including an extrajudicial killing; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary detention; political prisoners; arbitrary or unlawful

interference with privacy; serious problems with the independence of the judiciary; serious government restrictions on free expression and media, including violence, threats of violence, and unjustified arrests or prosecutions against journalists, censorship, and arrests for libel; substantial interference with the rights of peaceful assembly and freedom of association; restrictions on freedom of movement; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; deficient investigations of and accountability for gender-based violence, including crimes involving violence or threats of violence against women and girls; trafficking in persons; laws criminalizing consensual same-sex sexual conduct between adults, although generally not enforced; significant restrictions on workers' freedom of association; and existence of the worst forms of child labor.

Impunity remained a problem. The government took very few steps to identify or investigate officials who committed human rights abuses or engaged in acts of corruption and seldom arrested or prosecuted such persons.

There were credible reports of human rights abuses by criminal gangs in the artisanal and small-scale mining sector. Authorities did not systematically investigate or prosecute such abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

In July, an inquest into the September 2021 death of Sharai Mukaro while in custody at the Chivhu Police Station concluded that she died after being assaulted by Zimbabwe Republic Police (ZRP) officers. Media reports characterized the police assault as torture.

There were reports that political actors engaged in politically motivated killings. On February 27, a group of youth linked to the ruling Zimbabwe African National Union – Patriotic Front (ZANU-PF) party ambushed an opposition rally in Kwekwe the day after a provocative speech by the vice president, killing one and

injuring 22 opposition supporters. In March, media reported that suspected ZANU-PF supporters abducted, intimidated, and threatened to kill the sister of the deceased opposition supporter if she continued calling for justice.

b. Disappearance

There were no reports during the year of long-term disappearances attributed to government authorities. There were no reports of authorities punishing any perpetrators of previous acts of disappearance.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution prohibits torture and other cruel, inhuman, or degrading treatment or punishment; however, there were reports that security sector officials engaged in such practices with impunity. Nongovernmental organizations (NGOs) reported security forces abducted, assaulted, and tortured citizens, including targeted assaults on and torture of civil society activists, labor leaders, opposition members, and other perceived opponents of the government. Throughout the year, police used excessive force in apprehending, detaining, and interrogating criminal suspects. Police and military officers used excessive force and violent means to disperse peaceful demonstrations and to disrupt informal trading. On February 26, police beat opposition supporters with batons and used tear gas and water cannon spray to disperse crowds at a by-election rally in Gokwe. Prison guards occasionally beat and abused prisoners. NGOs reported the use of excessive force but noted prison guards did not employ excessive force systematically.

Impunity for politically motivated violence remained a problem. Impunity was also a significant problem in the security forces and among civilian authorities who oversaw them, including police, military, and intelligence officers. Security forces often acted in the interest of the ruling party.

The government took steps toward establishing an independent complaints mechanism to investigate allegations of security force misconduct, as called for in the constitution. In October, a bill to set up the Zimbabwe Independent Complaints Commission became law. Investigations into violence from previous

years remained pending, including into state-sponsored violence that resulted in the deaths of 17 civilians in 2019 and of seven civilians in postelection violence in 2018. Despite the recommendations of the Commission of Inquiry into the 2018 postelection violence and an August High Court ruling demanding respondents pay three million Zimbabwean dollars (approximately \$4,300) to the victim, Zakeo Mutimutema, the government has not paid significant compensation to the families of victims. The government appealed court judgments awarding damages to some victims who approached the courts for redress.

Prison and Detention Center Conditions

Prison conditions were harsh and life-threatening due to overcrowding, food shortages, lack of water, lice infestations, shortage of blankets in the cold season, physical mistreatment of prisoners, and lack of access to personal hygiene products, as well as inadequate sanitary conditions and medical care.

Abusive Physical Conditions: Conditions in prisons, jails, and detention centers were harsh. While some prisons operated below capacity, NGOs reported most were overcrowded due to outdated infrastructure and judicial backlogs. State-run news reported in March there were 20,898 detainees in facilities designed for 17,000 persons. On September 29, Information Minister Monica Mutsvangwa announced the cabinet had approved granting amnesty to prisoners due to overcrowding. As of November, the amnesty timeline and number of prisoners to be released remained unknown.

Several dozen children younger than age four living with their incarcerated mothers shared their mothers' food allocation, rather than receiving their own. Women inmates reported violence and sexual abuse. Despite support from NGOs, prison distribution of menstrual hygiene supplies was limited. Women often lacked access to pre- and postnatal care and emergency obstetric services. Officials did not provide pregnant women and nursing mothers with additional care or food rations out of the Zimbabwe Prison and Correctional Services (ZPCS) budget, but the ZPCS solicited and received donations from NGOs and donors for additional provisions.

There was one juvenile prison, housing boys only. Girls were held together with

women. Authorities also held boys in adult prisons throughout the country while in pretrial status. Officials generally tried to place younger boys in separate cells, but NGOs reported older prisoners often physically assaulted the younger boys. Although the law stipulates juveniles should be sent to reformatory homes, authorities generally sent juveniles to prison, as there was only one adequate reformatory home in the country, located in the Harare suburbs. Juveniles were vulnerable to abuse by prison officials and other prisoners.

Prisoners with mental disabilities were often held with other prisoners until a doctor was available to make an assessment. Psychiatric sections were available at some prisons for these individuals but offered little specialized care.

Remand (pretrial) prisons were overcrowded. Authorities often held pretrial detainees with convicted prisoners until their bail hearings.

The ZPCS, responsible for maintaining prisons and prisoner rehabilitation and reintegration into society, did not provide adequate food, potable water, sanitary conditions, or personal protective equipment during the global pandemic. The ZPCS sometimes allowed faith-based and community organizations to help address these problems.

Detainees depended on family members for essential dietary needs. Those without family or community support were forced to rely on other detainees for survival, although some prisoners identified as malnourished received additional meals. If available at all, blankets and clothing were often unwashed and soiled. Lice infestations were common. Although detainees could be transported to hospitals for medical treatment, unsanitary conditions and cold winters led to severe and sometimes fatal medical conditions. Detainees who were denied bail were often held in severely overcrowded remand cells for years while awaiting trial.

According to NGOs, food shortages were widespread in prisons but were not life threatening. The harvest of prison farm products provided meals for prisoners. Protein was in short supply. Prisoners' access to clean water varied by prison. Diarrhea was prevalent in most prisons. Diseases such as measles, tuberculosis, and HIV and AIDS-related illnesses were most common in those prisons with the worst conditions. Lighting and ventilation were inadequate. There were

insufficient mattresses, blankets, warm clothing, sanitary supplies, and hygiene products.

Prisoners had access to very basic medical care, with a clinic and doctor at nearly every prison. The ZPCS tested prisoners for HIV only when requested by prisoners or prison doctors. Due to outdated regulations and a lack of specialized medical personnel and medications, prisoners suffered from routine but treatable medical conditions such as hypertension, tuberculosis, diabetes, asthma, and respiratory diseases. The ZPCS was at times unable to transport prisoners with emergency medical needs to local hospitals.

Administration: The ZPCS inspections and audit unit, charged with assessing prison conditions and improving monitoring of prisoners' rights, did not release the results of its assessments. The Zimbabwe Human Rights Commission (ZHRC) conducted monitoring visits when conditions allowed and reported it had trained 1,973 correctional officers and 402 ZPCS middle managers in human rights-based approaches to the care of inmates.

Independent Monitoring: The law provides international human rights monitors the right to visit prisons. Church groups and NGOs seeking to provide humanitarian assistance, including the International Committee of the Red Cross, gained access to prisons. Some organizations working in prisons reported meetings with prisoners occurred without third parties present and with minimal restrictions, but some political prisoners reported no privacy for visits, even with their legal representatives.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, although other sections of the law effectively weaken these prohibitions. The government's enforcement of security laws often conflicted with the constitution. Security forces arbitrarily arrested and detained persons, particularly political and civil society activists, labor leaders, street vendors, and journalists perceived as opposing the government.

Arrest Procedures and Treatment of Detainees

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. Police did not always respect these requirements. The law stipulates that arrests require a warrant issued by a court or senior police officer and that police inform an arrested person of the charges before taking the individual into custody. A preliminary hearing must be held before a court within 48 hours of an arrest. This was not followed consistently. According to the constitution, only a competent court may extend the period of detention.

The law provides that bail be made available for most accused persons. The law allows prosecutors to veto judicial bail decisions and keep accused persons in custody for up to seven days, despite a prior Constitutional Court ruling declaring this power unconstitutional.

Authorities often did not allow detainees prompt or regular access to their lawyers and often informed lawyers who attempted to visit their clients that detainees or those with authority to grant access were unavailable. The government also monitored, harassed, intimidated, and arrested human rights lawyers when they attempted to gain access to their clients. A destitute detainee may apply to the government for an attorney, but only for capital offenses. Some opposition party members, civil society activists, journalists, and ordinary citizens had limited or no access to legal counsel.

Arbitrary Arrest: The government regularly used arbitrary arrest and detention as tools of intimidation and harassment, especially against political activists, civil society members, journalists, attorneys, and ordinary citizens asserting their rights.

Police continued to press criminal charges against street vendors arrested under selectively enforced COVID-19 safety regulations. Human rights NGOs reported street vendors in urban areas were often targets of arbitrary arrest and allegations of operating illegal businesses. The law absolves individual security agents from criminal liability regarding unlawful arrests and detention.

Security forces frequently arrested individuals during and following protests. In March, police arrested four opposition activists in Kadoma District for criminal

nuisance while permitting ruling party activists to campaign in the same ward.

Amid the June 14 clashes between ruling party and opposition supporters in the Chitungwiza suburb of Harare, police arrested opposition members of parliament Job Sikhala and Godfrey Sithole for public order offenses. In September, Sikhala's wife alleged that he had been poisoned while in custody. Police arrested 14 more local opposition members between June and September and as of year's end continued to hold Sikhala without bail at Chikurubi Maximum Security Prison.

Pretrial Detention: Although the constitution provides for the right to bail for detained suspects, prolonged pretrial detention for government critics, including journalists, ordinary citizens, student activists, labor, and opposition leaders, was common. The government routinely opposed bail for political detainees, and judges generally upheld these motions. Cases involving human rights defenders also involved lengthy pretrial detentions. When judges issued bail rulings, they at times delayed announcing their rulings until after the court cashier closed on Fridays to ensure political detainees remained in prison over the weekend. Delays in pretrial procedures were common, however, due to a shortage of magistrates and court interpreters, poor bureaucratic procedures, and an insufficient number of court officials to hear many cases.

Other prisoners remained in prison because they could not afford to pay bail. Magistrates rarely exercised the "free bail option" that authorizes them to waive bail for destitute prisoners. Defendants commonly faced prolonged pretrial detention as well as unnecessary hurdles that inconvenienced and humiliated the defendant. There were no reports of pretrial detention equaling or exceeding the maximum sentence for the alleged crime.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but the government often did not respect judicial independence and impartiality. The government intensified executive influence over the courts and executive interference in court decisions. The government, however, denied that the courts had the authority to hear an appeal of a dismissed justice who resisted executive pressure.

The government often refused to abide by judicial decisions and routinely delayed

payment of court costs or judgments awarded against it in civil cases. Government officials at times ignored court orders, delayed bail and access to medical care, and selectively enforced court orders related to land disputes favorable to those associated with the government.

Judicial corruption was widespread. NGOs reported that during the past several years, senior government officials gave homes, farms, agricultural machinery, and other perks to numerous judges as part of its corrupt Command Agriculture program.

NGOs reported that the president of the High Court often routed cases involving human rights defenders to specific anticorruption magistrates in the lower courts even if the cases were unrelated to corruption. Legal experts claimed defendants in politically sensitive cases were less likely to receive a fair hearing from magistrates, who heard most cases, than from higher courts. In lower courts, justices were more likely to make politicized decisions due to the use of threats and intimidation to force magistrates to rule in the government's favor, particularly in rural areas. In politically charged cases, other judicial officers such as prosecutors and private attorneys faced pressure from high-ranking judges and officials of the ruling party, including harassment and intimidation.

Certain high court justices made apparently independent rulings and granted opposition party members and civil society activists' bail. Some observers, however, believed the decisions in those cases were motivated by ruling party infighting rather than judicial independence.

Trial Procedures

The constitution provides for the right to a fair and public trial, but corruption and executive control over the judiciary increasingly compromised this right. By law, defendants enjoy a presumption of innocence, although courts often did not respect this right. Government and ruling party officials used social media to imply guilt ahead of a court ruling in politically charged cases. Trials were usually open to the public except in cases involving minors or state security matters. Government officials liberally interpreted state security matters to include trials and hearings for defendants who protested the government or reported on government corruption.

Defendants have the right to a lawyer of their choice, but most defendants in magistrates' courts did not have legal representation. In criminal cases, a destitute defendant may apply to have the government provide an attorney, but requests were rarely granted except in capital cases in which the government provided an attorney for all defendants unable to afford one. The Zimbabwe Women Lawyers Association also provided some free legal assistance to women and youth. The right to adequate time and facilities to prepare a defense is also provided for by law but was often lacking. Any person arrested or detained for an alleged offense has the right to remain silent and may not be compelled to confess. Authorities did not always respect these rights. Authorities sometimes denied or significantly delayed attorneys' access to their clients or falsely claimed the attorneys' clients were being held at another facility.

Lower courts commonly denied bail based on previous arrests, including for defendants never convicted of an offense.

Political Prisoners and Detainees

There were reports of individuals arrested for political reasons, including opposition party officials and their supporters, NGO workers, journalists, civil society activists, and labor leaders. In July, a local journalist reported 80 opposition supporters were arrested while campaigning in Masvingo City during March by-elections. Charges against government critics included incitement to violence and illegal gatherings. Authorities sometimes detained such individuals for one or two days and released them without charge. Political prisoners and detainees did not receive the same standard of treatment as other prisoners or detainees. There were reports police physically abused political activists and journalists while in detention. For example, on May 7, police assaulted journalist Blessed Mhlanga in Chitungwiza during his arrest.

Unlike normal criminal proceedings, which move from investigation to trial within months, prosecutors regularly took abnormally long to submit cases involving members of the political opposition or civil society critics of the government for trial. Hearings were sometimes scheduled when presiding judges were on vacation. Prosecutors in political cases were often "unprepared to proceed" and received numerous extensions. When authorities granted bail to government

opponents, they often did not conclude investigations and set a trial date but chose to “proceed by way of summons.” This left the threat of impending prosecution remaining, with the accused person eventually being called to court, only to be informed of further delays. Magistrates sometimes delayed making case records available to deliberately delay appeals for bail in the High Court.

In March 2021, a court sentenced youth activist Makomborero Haruzivishe to prison for inciting violence and resisting arrest. Authorities said he blew a whistle to alert opposition protesters to pounce on police during a protest in February 2020 and that he incited violence in a protest demanding the government provide more support to the poor. Zimbabwe Lawyers for Human Rights, which represented Haruzivishe during his trial, said only circumstantial evidence was used to convict him of inciting violence and resisting arrest. While outside the courthouse during Haruzivishe’s trial, one journalist witnessed indiscriminate police brutality against his supporters. Although the High Court dropped a separate charge against Haruzivishe in September, his trial for inciting violence and resisting arrest remained pending at year’s end.

Civil Judicial Procedures and Remedies

Civil judicial procedures allow for an independent and impartial judiciary, but the judiciary was subject to political influence and intimidation, particularly in cases involving high-ranking government officials, politically connected individuals, and individuals and organizations seeking remedies for abuses of human rights.

Property Seizure and Restitution

The constitution stipulates the government must compensate persons for improvements made on land taken by the government, but it does not set a timeline for providing compensation. The government rarely provided restitution or compensation for the confiscation of private property, and police generally did not act against individuals who seized private property without having secured authorization from the state to do so.

Most commercial farmers reported the government had still not compensated them for losses suffered from the land resettlement program in the early 2000s. In 2020 the government, the Commercial Farmers Union, and other farmers’ groups signed

a \$3.5 billion compensation deal for farms expropriated in the decades following independence. The deal promised half of the payments after one year and the remainder over the course of the next four years. In June 2021, the government made a one-million-dollar token payment to commercial farmers but continued to delay additional compensation payments as of year's end. Despite the negotiated agreement, government officials continued to seize and downsize farms without fair compensation.

The Commercial Farmers Union estimated there were fewer than 400 active white commercial farmers still living in the country. Those remaining continued to be targeted, harassed, threatened with eviction, and evicted by unemployed youth and individuals hired by politically connected individuals standing to benefit from farm seizures.

High-level ZANU-PF officials, meanwhile, registered numerous farms in the names of family members to evade the government's policy of one farm per official. The government continued to allow individuals aligned with top officials to seize land not designated for acquisition. Media commonly reported high-level government officials possessed large farm holdings. The government began a comprehensive land audit in 2018 to reflect land ownership accurately, but as of year's end, the commission had not completed the exercise.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit arbitrary interference with privacy, family, or home, but local NGOs reported the government did not respect this right.

The law permits intercepting or monitoring any communication (including telephone, postal mail, email, and internet traffic) transmitted through a telecommunication, postal, or other system in the country. Civil liberties advocates claimed the government used the law to stifle freedom of speech and target political and civil society activists (see section 2.a.). On June 6, the Postal and Telecommunications Regulatory Authority of Zimbabwe launched a monitoring system capable of monitoring incoming and outgoing calls.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for members of the press and other media, but the law limits these freedoms in the “interest of defense, public security or professional confidentiality, to the extent that the restriction is fair, reasonable, necessary and justifiable in a democratic society.” The government continued to arrest, detain, and harass journalists, critics, and opposition politicians.

Freedom of Expression: There were restrictions on individuals criticizing the government or discussing matters of public interest. Authorities were sensitive to criticism in general, particularly when directed at President Mnangagwa or his family. Persons accused of insulting the president and his office can be charged under a law that makes undermining the authority of or insulting a president criminal acts. On May 26, police detectives raided the home of *ZimLive.com* publisher and editor Mduduzi Mathuthu in Bulawayo. He turned himself in to police on June 6, where he was detained for more than an hour on allegations of insulting President Mnangagwa following a social media post alleging the president had conducted government business under the influence of alcohol. According to the Media Institute of Southern Africa Zimbabwe, Mathuthu was charged with undermining the authority of, or insulting, the president.

Violence and Harassment: Security forces, officials, and supporters of the ruling party routinely harassed journalists. On May 7, police arrested journalists Blessed Mhlanga and Chengeto Chidi after they photographed police attempting to arrest the opposition member of parliament Job Sikhala in Chitungwiza, a suburb south of Harare. Police responded by attempting to break the journalists’ phones to destroy the footage. Police also arrested Moses Hakata, a bystander, for attempting to dissuade the officer from assaulting Mhlanga during the arrest. Their trial was pending as of year’s end.

The government used accreditation laws to monitor international media journalists’ entry into the country, requiring foreign journalists to obtain permits 60 days prior

to arrival. Foreign reporters paid more for permits and accreditation than their local counterparts. International media outlets such as *al-Jazeera* and the BBC continued to operate in the country. On June 14, Bulawayo magistrate convicted *New York Times* stringer Jeffrey Moyo of contravening the Immigration Act by allegedly producing fake media accreditation cards for two foreign *New York Times* journalists deported in May 2021 after three days in the country. The court fined Moyo 200,000 Zimbabwean dollars (then valued at \$600) and gave him a two-year suspended prison term, which can be imposed if he is convicted of a similar crime in the next five years. Police arrested Moyo together with Zimbabwe Media Commission registrar Thabang Manhika, acquitting Manhika of the same charge in March.

On July 7, antiriot police assaulted journalist Anyway Yotamu for filming an altercation outside an opposition party's headquarters. Between October 6 and October 10, five journalists – Dunmore Mundai, Godwin Mangudya, Gadaffi Wells, Moreblessings Nyoni, and Desmond Chingarande – were assaulted for, harassed at, or blocked from covering events in the country, according to the Committee to Protect Journalists.

Censorship or Content Restrictions for Members of the Press and Other Media, including Online Media: The government maintained censorship through media registration and accreditation laws, although many provisions of the law are inconsistent with the constitution. The law provides the government with extensive powers to control media and suppress free speech by requiring the registration of journalists and prohibiting the “abuse of free expression.” On March 31, the Zimbabwe Media Commission published accreditation and registration fees for journalists and media houses, drawing its authority from the Data Protection Act, which was no longer in force. Government-controlled and independent media outlets and journalists practiced self-censorship.

On August 3, police charged journalist Desmond Chingarande and editor Wisdom Mdzungairi with transmitting “false data messages” for their coverage of a legal dispute involving local authorities in Harare. This was the first case prosecuted under a 2021 data protection law.

Libel/Slander Laws: The constitution prohibits criminal defamation. Although

libel, slander, defamation, and blasphemy should be treated only as civil offenses, there were occasional arrests for insulting the president or his family. Civil defamation laws remained in force. On June 6, authorities temporarily detained *ZimLive* editor Mududuzi Mathuthu on charges of undermining the president after he tweeted Mnangagwa was at a drinking party before he announced new fiscal measures on May 7. On June 7, freelance journalist Simbarashe Sithole filed a report with police after receiving threats over a story he wrote on alleged corruption in the constituency of Home Affairs Minister Kazembe. A recorded call circulated online quoted ZANU-PF member and political activist Isheanesu Dzimbiti threatening to assault Sithole, expressing his displeasure with the stories Sithole published, and asking Sithole to disclose his location.

National Security: The law grants the government a wide range of legal powers to prosecute persons for political and security crimes that are not clearly defined. For example, the extremely broad Official Secrets Act criminalizes the divulging of any information acquired by government employees in the course of official duties. Authorities used these laws to restrict publication of information critical of government policies or public officials.

Internet Freedom

The Interception of Communications Act permits the government to monitor all communications in the country, including internet transmissions. The government regulated internet and mobile phone communication to curb dissent and increased its share of the information and communications technology market and international gateways.

While the post and telecommunications authority reportedly is barred from monitoring content, communications laws permit eavesdropping and call interception by state security personnel. The laws allow authorities to apply to the responsible minister or director of the Cybersecurity and Monitoring of Interception of Communications Center housed in the Office of the President, without legal oversight from the judiciary, for a warrant authorizing them to intercept communications, including calls, emails, and other digital messages. Regulations allow officers to apply for interception warrants if they know the identities of individuals whose calls and messages they want to intercept. There

were no reported applications of this provision.

London-based internet watchdog Netblocks found internet service disruptions surrounding opposition rallies on February 20 and March 13 were “potentially consistent with the slowing, or throttling, of service.”

Restrictions on Academic Freedom and Cultural Events

The government did not explicitly restrict academic freedom; however, the law more broadly restricts the independence of universities, subjecting them to government influence and providing university authorities with disciplinary powers over staff and students. President Mnangagwa is the chancellor of all eight state-run universities and appoints their vice chancellors. The government has oversight of higher education policy at public universities through the Ministry of Higher and Tertiary Education. On September 10, the government implemented the Amendment of State Universities Bill, which further extended ministerial approval to the appointment of finance officers and librarians.

The Censorship and Entertainment Controls Board approves scripts by playwrights. Artists who violate provisions of the Censorship and Entertainment Control Act can receive fines and prison sentences.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, but the government continued to restrict these rights, particularly for political opposition and government critics.

Freedom of Peaceful Assembly

The government restricted the right to peaceful assembly. The law requires organizers to notify police of their intention to hold a public gathering, defined as 15 or more individuals, seven days in advance. Failure to do so may result in criminal prosecution as well as civil liability. The law allows police to prohibit a gathering based on security concerns but requires police to file an affidavit in a magistrate’s court stating the reasons behind the denial. The government must respond to notifications to demonstrate within three days. On April 16, police

arrested 14 opposition activists holding car rallies in Mutare for engaging in public activities without police clearance, ahead of a May 7 by-election.

Rallies in support of the ruling party were generally unimpeded, as were religious assemblies by groups seen as loyal to the ruling party. Meanwhile, opposition members, unions, civil society activists, pastors perceived to be aligned with the opposition, and street vendors often faced arrests, and in some cases police violence. In March, police arrested 10 student leaders protesting a 163 percent fee hike. In May, police fired tear gas into a crowd of students protesting tuition hikes in Harare, reportedly assaulting the organizers and seizing their cellphones.

Freedom of Association

The constitution and law provide for freedom of association, but the government restricted this right. Ruling party supporters, sometimes with direct government support or tacit approval, intimidated and harassed members of organizations perceived to be opposed to the government. See section 7.a. for additional freedom of association restrictions on trade unions.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, but the government restricted these rights.

Foreign Travel: The constitution provides the right for citizens to enter and leave the country and for the right to a passport or other travel documents. White citizens, however, routinely faced additional bureaucratic hurdles and requests for bribes to obtain a passport. Although dual citizenship was recognized, there were reports the Office of the Registrar General sometimes imposed administrative obstacles in the passport application process for dual citizens, particularly Malawian, Zambian, and Mozambican citizens. In September, a magistrate issued a warrant of arrest for Citizens Coalition for Change (CCC) Spokesperson Fadzayi

Mahere after she failed to appear in court for a pending case, although she had been granted leave by the courts for international travel. The courts later canceled the arrest warrant.

e. Protection of Refugees

The government often cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, and other persons of concern.

Access to Asylum: The law provides for granting refugee status and the government has established a system for providing protection to refugees. As of September, Tongogara Refugee Camp hosted 15,431 refugees and asylum seekers, despite being designed to host only 3,000.

Abuse of Migrants and Refugees: Migrants reported that border officials routinely accepted bribes in exchange for border crossings. Migrants reported arbitrary detention and deportation. Security forces routinely detained migrants who lacked identity documents or permission to be in the country and held them in prisons with convicted criminals. Prolonged detention for undocumented migrants was common. Migrants complained of mistreatment by other prisoners.

In February, six refugees sued the Department of Immigration for unlawful detention and loss of property after being detained in August 2021. The refugees were alleged to have been protesting the reported refoulement of Congolese refugees but deny participating.

Freedom of Movement: The government maintained a formal encampment policy requiring refugees to live at Tongogara Refugee Camp. Nevertheless, as of October, approximately 900 refugees lived in urban areas, including Harare and Bulawayo, and more than 6,500 Mozambican asylum seekers lived among host communities along the porous border with Mozambique. An unknown number of refugees were held in criminal detention facilities.

Employment: There were credible reports that the government imposed restrictions on refugees' ability to work. The government maintains an exception

to the right to work under the UN refugee convention. Refugees working in the informal sector had limited employment options in Tongogara Refugee Camp. UNHCR, NGOs, and the Julia Taft Fund supported organizations that provided camp residents employment opportunities, including banana farming, livestock production, and soap production.

Durable Solutions: The government facilitated the voluntary repatriation of refugees to their home countries and recognized the Voluntary Repatriation Declaration Form as a valid document for travel purposes.

f. Status and Treatment of Internally Displaced Persons

International organizations estimated there were more than 41,500 internally displaced persons (IDPs) as of August. The government evicted an unknown number of persons who built homes on contested land, leading to their displacement. In 2019 Cyclone Idai displaced thousands of persons in Chimanimani and Chipinge. The Cyclone Idai IDP camps remained in place during the year. Urban evictions displaced persons, but the precise numbers were unknown.

Many IDPs from earlier emergencies continued to live in dire conditions, lacking basic sanitation. IDPs were among those at greatest risk of food insecurity. Several generations of undocumented farm workers from neighboring countries resided in insular commercial farming communities in the country.

g. Stateless Persons

The country has a significant number of habitual residents who are legally or de facto stateless. In 2015 international organizations estimated a minimum of 300,000 persons in the country were stateless. Longstanding migrant labor populations from Mozambique, Malawi, and Zambia lacked documentation. Many migrant workers and their families who had lived in the country for generations, along with thousands of those impacted by the Gukurahundi killings of mainly Ndebele persons in the country's southwest between 1983 and 1987, remained blocked from accessing national identity documents. One in four such persons was not registered at birth.

The country contributed to the risk of statelessness, including through discrimination against women in nationality laws and discrimination on other grounds. Mothers may register their child's birth only if the father or another male relative is present, although the government reportedly suspended this requirement during a national identification registration campaign from April to September. Otherwise, if the father or other male relative refuses, the child may be deprived of a birth certificate, which limits the child's ability to acquire identity documents, enroll in school, and access social services.

Citizenship transmission requirements established in the 2013 constitution were not widely understood or enforced. Beginning in 2013, foreigners born and ordinarily resident in the country with at least one parent who was a citizen of a Southern African Development Community member state qualified for citizenship by birth. Many, however, were not aware of their eligibility. As a result, they retained their old identity cards with the restrictive "alien" status. Descendants of victims of the Gukurahundi killings in the 1980s had difficulty securing a birth certificate because they often could not obtain their parents' death certificates, as required. Due to stringent documentation requirements, many IDPs did not possess evidence of their nationality following the destruction and displacement resulting from Cyclone Idai in 2019.

Discriminatory practices often prevented persons born in the country from registering for citizenship when they had foreign relatives.

Stateless persons were often unable to enroll or remain enrolled in school, access formal health care facilities (including the COVID-19 vaccination program), or obtain a passport to travel to neighboring countries for work or to visit family.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot. The indefinite suspension of by-elections due to COVID-19 remained in effect until March. Routine by-elections subsequently continued to fill vacancies until November.

Elections and Political Participation

Recent Elections: Most international and local independent observers characterized the 2018 presidential, parliamentary, and local elections as largely free of violence but not meeting standards for credible elections. The Southern African Development Community, the African Union, and the Common Market for Southern and Eastern Africa, however, declared the elections free and fair.

Political parties and civil society organizations complained of widespread voter disenfranchisement, including of foreign-born and diaspora voters, and the inability to compete under equal conditions. State media coverage was heavily biased in favor of ZANU-PF and provided almost no access to or positive coverage of the opposition. There were reports of voter intimidation, including the collection of voter registration slips by party and tribal leaders to undermine the secrecy of the vote. These circumstances continued in by-elections conducted during the year, particularly leading up to 150 by-election contests in March.

In February, an activist group reported an unexplained shift of 170,867 voters between constituencies based on Zimbabwe Electoral Commission (ZEC) data. In some cases, ZEC reassigned voters living at the same address to different wards up to 106 miles from their residence.

While the law obliges traditional chiefs to be impartial, in 2018, traditional leaders mobilized voters and canvassed support for ZANU-PF in rural areas. In return, traditional leaders continued to receive agricultural, material, and financial benefits. Chiefs Council President Fortune Charumbira continued to be in contempt of a 2018 High Court order to withdraw public comments made in support of ZANU-PF. In 2020 he delivered a partisan political speech at the annual ZANU-PF party conference in support of ZANU-PF and President Mnangagwa. In March, President Mnangagwa made a public statement undermining the ancestral legitimacy of chiefs who did not support the ruling party. In January, ZANU-PF pressed all village heads in the Chivi South constituency to accompany voters to polling stations and emphasize that voting for ZANU-PF would avoid post-election violence.

Civil society organizations indicated the Zimbabwe National Statistics Agency

(ZIMSTAT) deliberately recruited ZANU-PF supporters as enumerators in the census process. ZIMSTAT reportedly told teachers trained in census methods they were no longer needed, after the teachers participated in demonstrations against government policies.

Political Parties and Political Participation: An unprecedented number of presidential candidates and political parties contested the 2018 elections. Elements within ZANU-PF and the security forces intimidated and committed abuses against other parties and their supporters and obstructed their activities. NGOs reported ZANU-PF youth members and so-called war veterans threatened communities with violence, telling them that the violence of the 2008 elections would return if ZANU-PF candidates lost.

Traditional leaders and government officials often distributed food aid based on perceived political affiliation, according to local NGOs. Through politicized food distribution, the government punished communities that elected opposition councilors by denying them assistance while rewarding communities that voted for ZANU-PF. In January, reports that officials distributed benefits from the president's agricultural scheme on a partisan basis were widespread. For example, the ZANU-PF Zaka district chair required attendance at ZANU-PF meetings to receive assistance, and opposition supporters were removed from the list of beneficiaries at Manica Bridge Community Hall. In September, Chief Andrew Bvute reportedly instructed residents in Mberengwa to vote for ZANU-PF in the 2023 general election. In November, Agriculture Minister Anxious Masuka told villagers in Chipinge they must "remember" President Mnangagwa, who gave them agricultural inputs, and "return the favor" in the 2023 election.

Ahead of the March 26 by-elections, opposition supporters faced harassment and attacks across the country. On February 4, ZANU-PF supporters attacked the car of CCC Kwekwe Central candidate Judith Tobaiwa and assaulted her driver. On February 6, riot police reportedly arrested 12 supporters of recalled member of parliament Amos Chibaya in the Mkoba constituency near Gweru. On February 16, three CCC supporters reported ZANU-PF members attacked and tortured them in Harare East. On February 18, after police arrested 13 CCC supporters in Harare, a prominent human rights activist shared two videos described as footage of CCC arrests at Harare Central Police Station. One shows police beating screaming

individuals in the dark. The other shows police forcing detained youths to crawl across pavement on their knees. On February 14, police detained CCC Vice President and former Finance Minister Tendai Biti without charge as he met with party members in his Harare East constituency, releasing him when his lawyer arrived. On March 2, four men armed with a gun, an axe, and machetes invaded Biti's home in Harare and severely wounded a security guard (see also sections 1.a., 1.c., 1.d., and 1.e., Political Prisoners and Detainees).

Despite being granted citizenship under the constitution and having voted previously, some persons were denied the right to vote during by-elections because they could not adequately demonstrate their citizenship. Undocumented individuals could not vote, run for office, or serve as an election agent. Large numbers of youth lacked the national identification cards needed to register to vote.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of historically marginalized or minority groups, including persons with disabilities and Indigenous persons, in the political process, and they fully participated as voters and candidates. Nevertheless, laws that criminalize lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) identities had the effect of prohibiting LGBTQI+ persons from participating in the political process. Transgender persons encountered difficulties when registering to vote because of changes in their appearance, disenfranchising them from the political process.

Women candidates across multiple political parties faced particularly vitriolic gender-based insults regarding appearance, sexual proclivity, accusations of involvement in sex work, and gender-based stereotypes. They also faced challenges within their party if running against a male candidate in a primary. Some observers believed traditional and cultural factors also limited women's political participation. During the 2018 elections, some persons associated with the opposition reported their family members were instructed to declare themselves blind or illiterate to enable a biased "disabled voter assistant" to vote on their behalf.

Minority groups such as the San, Tonga, and Doma, as well as communities affected by Cyclone Idai and Gukurahundi, remained undocumented. A wide

range of factors contributed to this problem including clerical errors, limited registration windows, inaccessibility for persons with disabilities, undocumented home births, distance to registrar offices, parental deaths and imprisonment, illiteracy, and onerous age requirements for witnesses.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of corruption; however, the government did not implement the law effectively or impartially. Despite government pronouncements, there were numerous reports of government corruption during the year. Experts described the problem as “catch and release,” where the Zimbabwe Anti-Corruption Commission (ZACC) arrested some corrupt officials, often those out of favor with President Mnangagwa, but did not secure convictions through the National Prosecuting Authority, which was responsible for referring all cases to the anticorruption courts. Government anticorruption efforts were highly politicized.

Although the country has specialized anticorruption courts in all 10 provinces, challenges persisted, including perceptions of political interference, delays in concluding high-profile cases, and a low quality of investigations. Additionally, the anticorruption courts often displayed political bias and were assigned cases involving activists, journalists, or opposition leaders even though the cases did not relate to corruption. In fact, the establishment of the courts specified they would adjudicate on matters including “criminal trials and other matters arising out of or connected with criminal trials.” Independent governmental oversight entities were often constrained politically, and the government ensured they lacked the funding and staffing to carry out their mandates.

ZACC and other government agencies continued to implement the *National Anti-Corruption Strategy* and actively included civil society and international partners in steering committee meetings. Multiple public and private officials signed integrity pledges. The country’s chapter of the African Parliamentarians’ Network Against Corruption actively met and called out corruption, including corruption committed by other government officials. ZACC increased its presence at the

provincial level. The constitution mandates that ZACC conduct corruption investigations. In June, ZACC Vice Chair Kuziwa Murapa reported the commission had received 1,501 complaints of suspected corruption in 2021, reflecting a 32 percent increase from 2020. While ZACC has the power to arrest, it does not have the power to prosecute.

Corruption: Corruption in both the public and private sectors persisted and was highly institutionalized. The country continued to experience both petty and grand corruption, defined respectively by Transparency International Zimbabwe as an “everyday abuse of entrusted power by low- to mid-level public officials” such as by police and local officials and “an abuse of high-level power by political elites.” In April, a Transparency International Zimbabwe report identified bribery as rampant and existing within most public institutions. The report identified the ZRP, Registrar General’s Office, and Vehicle Inspection Department as the top three bribe-seeking institutions. On April 22, President Mnangagwa dismissed ZACC commissioner Frank Muchengwa on findings of corruption and gross misconduct, without providing additional details to the public.

Cabinet officials, including Local Government Minister July Moyo, were involved in several high-profile corruption cases. Moyo was accused of diverting \$55 million in public funds and compelling local authorities in a June 14 memo to purchase firefighting trucks from Belarus at inflated prices. Press reports indicated presidential associate Alyaksandr Zingman secured the deal without following public procurement processes. Moyo also is alleged to have pushed an unduly expensive contract for a Harare City Council dump site without following procurement processes or obtaining mayoral approval.

Corruption concerns over the country’s COVID-19 response continued. In May, parliament’s Public Accounts Committee concurred with the auditor general’s 2021 findings that government officials breached the Public Finance Management Act, the Social Welfare Assistance Act, and the Public Procurement and Disposal of Public Assets Act by misusing public funds meant to combat COVID-19. The committee issued a series of recommendations following its investigation which have not been implemented as of year’s end. Corruption also permeated the government’s Command Agriculture program and other agricultural programs such as the President’s Input Scheme.

On June 2, President Mnangagwa fired Deputy Agriculture Minister Douglas Karoro, citing allegations Karoro stole more than 700 tons of fertilizer and maize seed intended for farmers under the president's Input Scheme. An investigative report released in March by *The Sentry* detailed extensive corruption by a benefactor of President Mnangagwa, Kudakwashe Tagwirei, who received treasury bills at a favorable exchange rate while running the Command Agriculture program.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases.

Retribution against Human Rights Defenders: The government harassed NGOs and specific persons it believed would expose abuses by government personnel or oppose government policies. NGOs reported surveillance missions by unidentified individuals visiting and occasionally raiding NGO offices. According to many human rights NGOs, the state viewed governance, human rights, and media NGOs as regime-change agents supported by the West. In March, youth reportedly aligned with ZANU-PF disrupted NGO and citizen participation in public parliamentary hearings on the Private Voluntary Organizations Amendment Bill, which would result in increased government control over civil society, in the Highfield suburb of Harare.

NGOs reported increasing demands from local "development coordinators" set up by the government without a legal basis for "right to operate" fees ranging from \$200 to \$5,000. Government-controlled media as well as government-associated social media handles disparaged and attacked human rights groups, especially those believed to communicate with western embassies or governments. Unidentified groups spread false stories as part of a misinformation campaign, attributing those stories to civil society organizations to influence voters during the March by-elections.

Government Human Rights Bodies: The ZHRC managed to fulfill some of its

constitutionally mandated functions despite government efforts to constrain its funding and staff. Through its website, a hotline, and mobile legal clinics, which resumed after being suspended because of COVID-19, the ZHRC conducted public outreach and accepted complaints from the public for investigation. The government, however, did not provide the ZHRC with sufficient personnel to investigate the number of complaints it received. Some NGOs questioned the ZHRC's independence and effectiveness.

The government did not overtly attempt to obstruct the ZHRC's work that was critical of government or security service actions.

The National Peace and Reconciliation Commission (NPRC), which has the constitutional mandate to handle matters related to the Gukurahundi killings, made no significant progress, in part due to the government declining to allocate sufficient funds to the NPRC. The government asserted resources would be made available to finance outcomes developed by chiefs with their communities, including access to documentation, counseling and psychological support, exhumations, burials, memorials, reparations, and social security benefits (including pensions, social welfare, education, and health services). The National Transitional Justice Working Group, a coalition of legal, religious, and civil society actors, asserted that the government usurped the work of the NPRC. The working group called instead for public apologies by Mnangagwa and his administration for abuses perpetrated during Gukurahundi. It also demanded a retraction from Justice Minister Ziyambi Ziyambi's statement in August that the government had no mandate to prosecute human rights abuses related to Gukurahundi because of a broad amnesty declared by President Mugabe in 1990.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: While the law criminalizes sexual offenses, including rape and spousal rape of women, these crimes remained widespread. Almost a quarter of married women who had experienced domestic violence reported sexual violence, while approximately 8 percent reported both physical and sexual violence. A high proportion (43 percent) of adolescent girls aged between

13-17 years reported that their first incident of sexual intercourse was unwanted and unplanned. This was exacerbated by the COVID-19 pandemic which led to a significant increase in gender-based violence, domestic violence, and child marriages. Women were sexually assaulted while seeking treatment in public hospitals, collecting water from communal boreholes, in religious settings, and riding in public transportation. An NGO reported an increase from 500 to 600 cases of gender-based violence per month before the COVID-19 pandemic to 700 to 800 cases per month during the pandemic. Approximately 94 percent of calls on the NGO's gender-based violence hotline were from women. Violent gender-based offenses were often committed in private and without any witnesses. Moreover, police and hospitals did not have sufficient training or facilities to collect and store physical evidence of gender-based violence. The lack of evidence hampered the effectiveness of the justice system and demotivated survivors to report these cases. Justice for survivors of violence and particularly gender-based violence remained elusive, and was worse for children and adolescents, especially girls. According to UNFPA, one in three women aged 15 to 49 in the country experienced physical violence and approximately one in four women experienced sexual violence since age 15.

Although sexual offenses are punishable by lengthy prison sentences, women's organizations stated that convictions were rare and sentences were inconsistent. Rape survivors were not consistently afforded protection in court. During the year, the July 2021 case of a teenager charged with murder who claimed she was defending herself against a sexual predator triggered a debate regarding women's rights and the prevalence of sexual violence in the country. Women's rights activists declared the country's self-defense law was too weak to protect women because the courts can decide whether harm was intended. Women political leaders and human rights activists were targeted physically and through threats and intimidation via social media. Rape and sexual violence were generally under-reported. Social stigma and societal perceptions that rape was a "fact of life" continued to inhibit reporting of rape. Women were less likely to report spousal rape, due to fear of losing economic support or of reprisal, lack of awareness that spousal rape is a crime, police reluctance to engage with domestic disputes, and bureaucratic hurdles. Many rural citizens reported being unfamiliar with laws against domestic violence and sexual offenses. A lack of adequate and widespread

services for rape victims also discouraged reporting.

Children born from rape suffered stigma and marginalization. Mothers who gave birth after rape were sometimes reluctant to register the births. Without registration, these children did not have access to social services or national identification cards. The adult rape clinics in public hospitals in Harare and Mutare were run by NGOs and did not receive significant financial support from the Ministry of Health. The clinics received referrals from police and NGOs. They administered HIV tests and provided medication for HIV and other sexually transmitted diseases. Although police referred most reported rapes of women and men who received services from the rape centers for prosecution, very few individuals were ultimately prosecuted.

Domestic violence, especially intimate partner violence perpetrated by men against women, was exacerbated by the COVID-19 pandemic and frequent government-mandated lockdowns. Domestic violence is punishable by a modest fine, a maximum sentence of 10 years' imprisonment, or both. Authorities, however, generally considered it a private matter and rarely prosecuted.

Government-controlled media implemented various initiatives to combat gender-based violence through radio programming and a national hotline. Several women's rights groups also worked with law enforcement agencies and provided training and literature on domestic violence as well as shelters and counseling for women. NGOs reported most urban police stations had trained officers to deal with domestic violence survivors but lacked capacity to respond on evenings and weekends. The law requires victims of any form of violence to produce a police report to receive free treatment at government health facilities. This requirement prevented many rape survivors from receiving necessary medical treatment, including postexposure prophylaxis (PEP) to prevent HIV. The sparse trauma counseling resources for persons who suffered sexual violence were provided almost exclusively by NGOs.

Female Genital Mutilation/Cutting (FGM/C): There were no national statistics available regarding FGM/C, but the practice of labial elongation occurred in at least one minority ethnic community. The country has many different cultures that have incorporated this practice in beliefs and ceremonies. Some parts of the

population practiced harmful procedures such as pricking, piercing, incising, scraping, and cauterization.

Other Forms of Gender-based Violence: Virginity testing is prohibited by the law. Although reportedly decreasing, it continued to occur in some regions and in some faith communities. In December 2021, police in Marondera charged a woman with aggravated indecent assault against her daughter in one incident of reported virginity testing. Also widows, when compelled to relocate to rural areas, were sometimes forcibly married off to an in-law.

Sexual Harassment: No specific law criminalizes sexual harassment, but labor law prohibits the practice in the workplace. The government did not effectively enforce the labor law. The constitutionally established Gender Commission lobbied for legislation criminalizing sexual harassment and gender-based violence at the workplace. Media reported that sexual harassment was prevalent in universities, workplaces, and parliament, where legislators routinely and publicly body shamed, name called, and booed women members of parliament. In December 2021, the High Court awarded US\$180,000 in damages to Rita Lunga-Mbatha for a 2003 workplace sexual harassment case against her supervisor. In July, the Public Service Commission introduced a Public Service Sexual Harassment Policy.

In a 2017 study conducted by a student advocacy group, women college students reported they routinely encountered unwanted physical contact from male students, lecturers, and nonacademic staff, ranging from touching and inappropriate remarks to rape. Of the students interviewed, 94 percent indicated they had experienced sexual harassment in general, 74 percent indicated they had experienced sexual harassment by male university staff, and 16 percent reported they were raped by lecturers or other staff.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Adolescents, rural residents, LGBTQI+ persons, and survivors of gender-based violence lacked consistent access to reproductive health services. The contraceptive prevalence rate for women 15-49 years of age seeking contraception

was 67 percent. Contraceptive use among adolescents, both married and unmarried, was 46 percent, compared with the national average of 67 percent. Barriers affecting access to contraception included supply chain and commodity problems, limited access to health facilities in remote areas, religious skepticism of modern medicine among some groups, and ambiguity on the age of access to contraception. Access to contraception became more difficult due to COVID-19 lockdown measures. The COVID-19 pandemic resulted in disruptions to contraceptive supply chains. As part of COVID-19 mitigation measures, the government, private sector, and NGOs were at times forced to close health facilities, mobile clinics, and community-based interventions, reducing access to health services.

Emergency contraceptives were not readily available in the public sector. Some public-sector facilities did not have enough commodities to provide youth with the free family-planning method of their choice. Women could purchase emergency contraceptives at private pharmacies or obtain them from NGOs, but the cost was prohibitive, and availability limited. The law, the policy on sexual abuse and violence, and the creation of one-stop centers for survivors of gender-based violence were designed to provide survivors access to sexual and reproductive health services. Resources constrained access, with state funding limited to NGOs operating adult rape clinics in Harare and Mutare. Limited police capacity to provide victims with the police report needed to access treatment at government health facilities was an additional constraint on access to services.

The *2019 Multiple Indicator Cluster Survey* estimated maternal mortality at 462 deaths per 100,000 live births, down from 651 deaths per 100,000 live births in the *2015 Zimbabwe Demographic and Health Survey*. Nonetheless, the rate was high despite high prenatal care coverage (93 percent), high institutional deliveries (86 percent), and the presence of a skilled health worker at delivery (86 percent). Although these rates of maternal mortality were partly explained by the high prevalence of HIV, maternal and neonatal quality of care were areas of concern.

Ministry of Health guidelines provided for post-abortion care to rape survivors, including PEP, emergency contraception, and psychosocial support. These services were not uniform across facilities and were not routinely available. Psychosocial support services for women who experienced abortion were largely

unavailable.

Young girls and women increasingly relied on traditional healers and midwives to address health problems due to the difficulty of accessing doctors during COVID-19 lockdowns. This increased severe health complications. Girls and women faced challenges while giving birth due to a fragile health system with degraded infrastructure and shortages of basic health supplies and staff. Many individuals could not afford to pay for private hospitalization, relying on traditional healers and midwives.

Few families could afford menstrual hygiene products. Some girls failed to attend school when menstruating, while others used unhygienic rags, leading to infections and illness.

Discrimination: The constitution provides the same legal status and rights for women and men, stating all “laws, customs, traditions, and practices that infringe the rights of women conferred by this constitution are void to the extent of the infringement.” There is an institutional framework to address women’s rights and gender equality through the Ministry of Women Affairs and the Gender Commission, one of the independent commissions established under the constitution. The commission received minimal support from the government and lacked sufficient independence from the ministry. The law recognizes a woman’s right to own property, but very few women owned property, due to the customary practice of patriarchal inheritance. Fewer than 20 percent of women farmers were official landowners or named on government lease agreements. Divorce and alimony laws were equitable, but many women lacked awareness of their rights. In traditional practice, property reverts to the man in case of divorce or to his family in case of his death. When women were not listed on lease agreements, they could not benefit from most government programs that provided agricultural inputs as a form of economic assistance.

The 2022 Marriage Act affords civil partnerships or common law marriages the same remedies as legal marriages but recognizes only heterosexual civil unions or common-law marriages. The new law does not address property rights during marriage.

Discrimination against women in employment occurred despite being prohibited by law (see section 7.d.). Women received fewer loans and other forms of financial support, even in informal economic sectors where they outnumbered men, such as in micro and small-scale enterprises and agricultural production. This disparity was partly explained by deficiencies in access to loan collateral and documented years of business experience.

Systemic Racial or Ethnic Violence and Discrimination

The constitution uses strong language to provide for the protection of members of racial and ethnic minorities from violence and discrimination. Implementation, however, was less strong, with some serious gaps in access to personal identity documents for certain ethnic minority groups, and consequent impacts on statelessness and access to services. Discrimination based on race and tribe continued to exist.

According to government statistics, the Shona ethnic group made up 82 percent of the population, the Ndebele 14 percent, whites and Asians less than 1 percent, and other ethnic and racial groups 3 percent. Historical tension between the Shona majority and the Ndebele minority resulted in marginalization of the Ndebele by the Shona-dominated government. Senior political leaders refrained from attacking each other along ethnic lines. In January, however, unidentified individuals reportedly damaged a memorial plaque to honor victims of the Gukurahundi killings in Matabeleland South and local press reported the government did not pursue an investigation.

Observers expressed concern over Mnangagwa's perceived favoritism towards his own Shona subclan, the Karanga, in senior government appointments, saying the appointments came at the expense of other Shona subgroups and the Ndebele.

Police seldom arrested government officials or charged them with infringing upon minority rights, particularly the property rights of the minority white commercial farmers or wildlife conservancy owners, who continued to be targets of land redistribution programs.

Government development projects reportedly excluded some ethnic minorities in border areas, such as the Tonga people living in Binga. Those living in these areas

faced food insecurity and lacked modern infrastructure.

Children

Birth Registration: The 2013 constitution states citizenship is derived from birth in the country and from either parent, and all births are to be registered with the Births and Deaths Registry. According to the 2012 census, only one in three children younger than age five possessed a birth certificate – 55 percent in urban areas and 25 percent in rural areas. An estimated 39 percent of school-age children did not have birth certificates. Lack of birth certificates impeded access to public services such as education and health care, resulting in many children being unable to attend school and increasing their vulnerability to exploitation (see section 2.g.). In July, the Supreme Court ruled in *Matemera v. Chirimuuta* that children born out of wedlock are entitled to paternal care and responsibility.

Women have the right to register their children's births, although either the father or another male relative must be present. If the father or other male relative refuses to register the child, the child may be deprived of a birth certificate, which limits the child's ability to acquire identity documents, enroll in school, and access social services (see section 2.g.). The registrar general's office relaxed the requirement of two witnesses to obtain a birth certificate during its April to September national identity campaign. In October, Ministry of Home Affairs Permanent Secretary Aaron Nhepera reported that the registrar general issued 1,300,573 national identification cards, 1,758,322 birth certificates, and 44,590 death certificates during this campaign.

Education: Basic education was not free or universal. The constitution states that every citizen and permanent resident of the country has a right to a basic state-funded education but adds a caveat that when the state provides education, it “must take reasonable legislative and other measures, within the limits of the resources available to it.” According to the *Multiple Indicator Cluster Survey (MICS)* conducted by the Zimbabwe National Statistics Agency in 2019, 91 percent of all children attended primary school. UNICEF found in 2021, however, that many children do not attend, particularly girls due to pregnancy, early marriage, and gender-based violence (see section 6, Women, Reproductive Rights). According to the 2019 MICS, only 53 percent of children in rural areas attended lower secondary

schools, compared to 80 percent in urban areas. For upper secondary schools, attendance was 3 and 21 percent for rural and urban children, respectively. In April, UNICEF reported the number of youths not enrolled in school increased to 47 percent due to exacerbating poverty due to the pandemic and shortfalls in government education spending.

Primary school attendance was only slightly higher in urban than in rural areas. Rural secondary education attendance (44 percent) trailed behind urban attendance (72 percent). A May ZIMSTAT survey found only 26 percent of parents could afford their children's education expenses.

Child Abuse: Child abuse, including incest, infanticide, child abandonment, and rape, is illegal but continued to be a serious problem. In 2018 the NGO Childline received more than 15,000 reports of child abuse via its national helpline and managed more than 10,000 in-person cases at its drop-in facilities across the country. Approximately 26 percent of all reported cases of abuse involved sexual abuse; 28 percent involved physical or emotional abuse; 18 percent involved neglect; and 7 percent involved forced marriage. Of the 25,000 total cases, 93 percent involved girls. One widely reported case of rape and incest involved a nine-year old girl whose father allegedly raped her multiple times. She gave birth in November.

Corporal punishment is illegal. Government efforts to combat child abuse were inadequate. The government continued to implement a case management protocol to guide the provision of child welfare services. Additionally, there were facilities that served underage victims of sexual assault and abuse.

Child, Early, and Forced Marriage: The constitution declares anyone younger than age 18 is a child. Although the government enacted a new Marriage Act in September to abolish child marriage and align the country's marriage laws with the constitution, NGOs reported teenage pregnancies and child marriages increased sharply during the COVID-19 pandemic. The marriage law prohibits anyone underage from marriage or entering a civil partnership. The law also criminalizes assisting, encouraging, or permitting child marriages or civil partnerships.

Despite legal prohibitions, some rural families and religious groups continued to

force girls to marry. Child welfare NGOs reported evidence of increased underage marriages, particularly in isolated religious communities or among AIDS orphans who had no relatives willing or able to take care of them. High rates of unemployment, the prevalence of girls dropping out of school, and the inability of families to earn a stable income were major causes of child marriage. Child marriages remained common, with 34 percent of girls younger than 18 married before reaching the age of 18 years, compared with 2 percent of boys.

Families gave girls or young women to other families in marriage to avenge spirits, as compensatory payment in interfamily disputes, or to provide economic protection for the family. Some families sold their daughters as brides in exchange for food, and sometimes if a wife died, her family offered a younger daughter as a “replacement” bride to the widower.

A December 2021 research study published by the Gender Institute at Midlands State University in Gweru found that virginity testing persisted and was viewed by some as a necessary customary rite, despite its prohibition in the Domestic Violence Act. An NGO study published in 2014 found the cultural emphasis placed on virginity meant that any real or perceived loss of virginity – whether consensual or forced – could result in marriage, including early or forced marriage. In some instances, family members forced a girl to marry a man based on the mere suspicion the two had had sexual intercourse. This cultural practice even applied in cases of rape, and the study found numerous instances in which families concealed rape by facilitating the marriage between rapist and survivor.

Sexual Exploitation of Children: Conviction of statutory rape, legally defined as sexual intercourse with a child younger than age 18, carries a fine, up to five years’ imprisonment, or both. In May, the Constitutional Court ruled that laws defining the age of consent as 16 within marriage were unconstitutional. In September, legislation definitively outlawed child marriage, defined as including any person under age 18. A person in possession of child pornography may be charged with public indecency; convictions result in a fine, imprisonment for up to 10 years, or both. There was no information available on whether authorities enforced laws against child pornography. A conviction for procuring a child younger than age 16 for purposes of engaging in unlawful sexual conduct results in a fine, up to 10 years’ imprisonment, or both. Persons charged with facilitating child sex

trafficking often also were charged with statutory rape. Child sex trafficking carries a fine, up to 10 years' imprisonment, or both. A parent or guardian convicted of child sex trafficking may face a fine, up to 10 years' imprisonment, or both.

Girls from towns bordering Botswana, Mozambique, South Africa, and Zambia were forced into commercial sexual exploitation in brothels that catered to long-distance truck drivers. Increasing economic hardships contributed to higher rates of child sex trafficking.

Displaced Children: The proportion of orphans in the country remained very high. Many orphans were cared for by their extended family or lived in households headed by children.

Orphaned children were more likely to be abused, homeless, not enrolled in school, suffer discrimination and social stigma, and face food insecurity, malnutrition, and HIV and AIDS. Some children engaged in commercial sex for survival. Orphaned children often were unable to obtain birth certificates because they could not provide enough information regarding their parents or afford to travel to offices that issued birth certificates.

Antisemitism

An estimated 300 to 350 long-term residents identified as Jewish. There were no reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: According to the criminal code, any consensual act between men "involving physical contact ... that would be regarded by a reasonable person

to be an indecent act” is deemed sodomy; conviction carries a fine, one year in prison, or both. Discrepancies between gender presentation and officially designated gender can lead state officials, police, and potential employers to determine that an individual is committing identity fraud, potentially leading to criminal arrest. LGBTQI+ organizations reported several arrests as well as severe mental health consequences to members of the community because of criminalization, including depression, anxiety, substance abuse, and suicidal ideation.

Violence against LGBTQI+ Persons: LGBTQI+ community leaders reported cases of state-sanctioned violence targeted at members of their community were lower than in the previous administration, although the penal code continued to outlaw homosexuality. LGBTQI+ community members, however, continued to report homophobic attacks by the public, which the police did not investigate.

Discrimination: LGBTQI+ persons do not have legal protections against discrimination. Leading NGOs noted harassment and discrimination against LGBTQI+ persons seeking employment, housing, and health services. Trans Smart, an LGBTQI+ group, reported their members believed they were unsafe and unwelcome in churches due to deeply held religious and social stigmas in society. Another LGBTQI+ organization, Sexual Rights Centre, faced increased scrutiny of their activities by police and denial of services to their members at public clinics.

LGBTQI+ persons were vulnerable to blackmail because of the criminalization of and stigma against same-sex sexual conduct. LGBTQI+ advocacy organizations reported blackmail and being “outed” as two of the most common forms of repression of LGBTQI+ persons. It was common for blackmailers to threaten to reveal a victim’s sexual identity to police or to their church, employers, or family if the victim refused to pay. NGOs reported hate crimes against LGBTQI+ persons.

LGBTQI+ persons often left school at an early age due to discrimination. Higher education institutions reportedly threatened to expel students based on their sexual orientation. LGBTQI+ persons had higher rates of unemployment and homelessness than the general population. They were also less likely to seek medical care for sexually transmitted diseases or other health problems due to fear that health-care providers would shun them or report them to authorities. Health

care workers commonly discriminated against and refused service to LGBTQI+ persons.

Public medical services did not offer hormone treatment or gender-confirmation surgeries to transgender and intersex individuals. A small number of private clinics provided testosterone therapy, but estrogen therapy required patients to purchase treatment privately and self-administer the drugs or travel to neighboring countries where treatment was available.

Transgender individuals continued to face challenges when seeking government services. They often encountered difficulties when registering to vote because of changes in their appearance, disenfranchising them from the political process.

Availability of Legal Gender Recognition: There is no legal option to change the gender designation on state identity cards, creating identification and travel difficulties. A discrepancy between gender presentation and designated gender can lead state officials, police, and potential employers to believe the individual is committing identity fraud, potentially leading to criminal arrest.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: Some parents treated their children's identity as an intellectual disability and forced transgender youth into mental health institutions.

Freedom of Freedom of Expression, Association, or Peaceful Assembly: There were no reports during the year of government restrictions on those speaking out about LGBTQI+ issues or attempting to legally register or convene events.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. Several parliamentarians remarked during the year that services such as schools and clinics were located prohibitively far from villages in their constituencies, hindering access for those with physical disabilities. The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services, including education and health care. A

constitutional amendment mandates the Public Service Commission employ persons with disabilities as 10 percent of its workforce, although government offices continued to have limited accessibility and other accommodations for persons with disabilities. The constitution and law do not specifically address access to transportation. They do not distinguish between physical, sensory, mental, or intellectual disabilities.

In 2021 the government adopted a national disability policy that expands the definition of “disabled persons” based on standards set by the UN Convention on the Rights of Persons with Disabilities. Informed by NGO lobbying efforts, the policy incorporates albinism and epilepsy. In July, the government launched a Technical National Coordination Committee to implement the new national disability policy. Prevailing law stipulates government buildings must be accessible to persons with disabilities, but implementation remains slow. Two senate seats are designated for persons with disabilities. Persons with disabilities faced discrimination in employment (see section 7.d.).

The National Association of Societies for the Care of the Handicapped reported difficulties in courts for persons with hearing disabilities due to a lack of sign language interpreters.

Persons with disabilities living in rural settings faced even greater challenges. For example, they faced discrimination based on a belief they were bewitched. In extreme cases, families hid children with disabilities from visitors. Mothers of children with disabilities in rural settings were often viewed negatively and discriminated against.

There were very few government-sponsored schools for persons with disabilities, thus necessitating NGOs to compensate for this in their communities. Organizations such as the Zimbabwe Parents of Handicapped Children Association rotated classroom space and hours to accommodate children with physical and mental disabilities. Sunshine Zimbabwe, the only accredited center offering skill-based training for adults with disabilities, was poorly supported. Some schools refused to accept children with disabilities.

Essential accommodations such as sign language interpreters, braille materials, and

ramps were commonly unavailable, which prevented children with disabilities from attending school. Many urban children with disabilities obtained informal education through private institutions, but these options were generally unavailable for children with disabilities in rural areas. Government programs intended to benefit children with disabilities, such as the Basic Education Assistance Module, only provided for rudimentary instruction.

Persons with disabilities were often unable to access food assistance distribution sites and were unaware of services available to them. NGOs noted an increase in the number of persons with disabilities turning to begging during the COVID-19 pandemic. Women with disabilities faced compounded discrimination, resulting in limited access to services, reduced opportunities for civic and economic participation, and increased vulnerability to violence. Persons with mental disabilities also experienced inadequate medical care. As of year's end, there were 20 mental health institutions, including four hospitals, three-day treatment facilities, three outpatient facilities, and 10 community residential facilities in the country with a total capacity of more than 1,500 residents. Residents in these government-run institutions received cursory screening, and most waited for at least one year for a full medical review.

A shortage of drugs and adequately trained mental health professionals resulted in improper diagnoses and inadequate therapy for persons with mental disabilities. There were few certified psychiatrists working in public and private clinics and teaching in the country. NGOs reported that gaining access to mental health services was slow and frustrating. They reported persons with mental disabilities experienced extremely poor living conditions, due in part to limited access to food, water, clothing, and sanitation.

Prison doctors were required to confirm a mental disability and recommend an individual for release or return to a mental institution. More than 400 inmates with mental disabilities, however, remained at ZPCS centers across the country, following delays by the Mental Health Board in reviewing their cases for possible release. Some of the prisoners were eligible for release and reintegration into society. The Mental Tribunal Board, which has the mandate to determine the release of these inmates through fitness evaluation, however, did not sit for the past 10 years.

There were minimal legal or administrative provisions for participation in the electoral processes by persons with disabilities. Administrative arrangements for voter registration at relevant government offices were burdensome, involving long queues, several hours or days of waiting, and necessary return visits that effectively served to disenfranchise some persons with disabilities (see section 3 on voter assistance). Ballots were not provided in braille or large text.

Other Societal Violence or Discrimination

The government has a national HIV and AIDS policy that prohibits discrimination against persons with HIV, and the law prohibits such discrimination in the private sector and within parastatals. Despite these provisions, societal discrimination against persons with HIV remained a problem. Local NGOs reported persons with HIV faced discrimination in employment, health services, and education. Although there was an active information campaign to destigmatize HIV – organized by international and local NGOs, the Ministry of Health, and the National AIDS Council – ostracism and discrimination continued. In the *2015 Demographic Health Survey*, 22 percent of women and 20 percent of men reported they held discriminatory attitudes towards persons with HIV.

The Marriages Act enacted in May repealed section 79 of the Criminal Law Code, thereby decriminalizing willful HIV transmission. According to NGOs, criminalization of willful HIV transmission had been misused as a form of blackmail, particularly in divorce cases.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of private-sector workers to form and join unions, conduct legal strikes, and bargain collectively. Public-sector workers may not form or join trade unions but may form associations that bargain collectively and strike. The law prohibits antiunion discrimination, provides that the labor court handle complaints of such discrimination, and may direct reinstatement of workers fired due to such discrimination. Other legal provisions and the government's application of the law effectively abrogated these rights.

The law provides for the registrar of the Ministry of Public Service and Labor to supervise the election of officers of workers' and employers' organizations, to cancel or postpone union elections, and to change the venue of a union election. The law also provides the registrar with the authority to decide on the registration of a union based on the findings from the accreditation proceedings. During the accreditation proceeding, the registrar reviews representations from anyone including the employers, on whether the union under consideration should be registered. The minister may choose to not approve or to rescind recognition of a union on the grounds that it does not represent the interests of its members.

The law gives the registrar authority to amend the geographic scope and the topics of interest submitted by the union seeking registration. The law also grants the minister extensive powers to regulate union activities such as collecting dues and paying staff salaries, and to make decisions concerning the equipment and property that may be purchased by trade unions. The minister has the authority to veto collective bargaining agreements perceived to be harmful to the economy as well as to appoint an investigator who may, without prior notice, enter trade union premises, question any employee, and inspect and copy any books, records, or other documents. The law empowers the minister to order an investigation of a trade union or employers' organization and to appoint an administrator to run its affairs.

Unions are not required to register, but registered unions have additional rights, such as negotiating for its members at the National Employment Council, calling for a strike, and filing a lawsuit. The law limits registration of new unions in enterprises or industries that already have a union.

The law significantly limits the right to strike. Strikes are limited to disputes regarding work matters. The law provides that a majority of employees must agree to strike by voting in a secret ballot. Strike procedure requirements include a mandatory 30-day reconciliation period and referral to binding arbitration. This applies to essential and nonessential services where the parties agree or where the dispute involves rights enshrined in law, by contract, or by previous agreement. Following an attempt to resolve a dispute regarding interests not already subject to agreement and a labor officer's issuance of a certificate of no settlement, the party proposing a collective job action must provide 14 days' written notice of intent to

resort to the strike or labor action, including specifying the grounds for the intended action, to call a strike legally. Failure to notify authorities regarding a strike or public gathering is punishable with a prison term of one year. No provisions prohibit employers from hiring replacement workers in the event of a strike.

Strikes were commonly met with police brutality, force, and dismissals. The government enacted punishment and retaliatory action against teachers who participated in continued strikes regarding the right to a living wage. In May, the Ministry of Primary and Secondary Education deducted money from the salaries of teachers who participated in a January strike, leaving some with net salaries that were the equivalent of less than one U.S. cent. The Ministry of Education suspended more than 1,220 teachers, seized the salaries of 530 teachers, and arrested others.

In January, police arrested 18 teachers and Amalgamated Rural Teachers Union of Zimbabwe (ARTUZ) President Obert Masaraure for demonstrating for teacher wages to be fully paid in U.S. dollars. In June and July, after ARTUZ received the 2022 Frontline Human Rights Award, authorities arrested Masaraure and ARTUZ Secretary General Robson Chere on murder charges for a man who died in 2016; a previous investigation reportedly found no foul play. Masaraure was granted bail after two weeks, while Chere was granted bail after eight days. Police arrested Masaraure again in July in connection with the 2016 death of his friend, releasing him on bail on August 4. The court reportedly denied access to key records related to his case and then stated those records were missing. The government consistently subjected ARTUZ leaders to harassment including abductions, arrests, and beatings.

In late June, citing a devaluation of their earnings in Zimbabwean dollars and continued challenges in working conditions, including difficulty procuring medication for patients, the Zimbabwe Professional Nurses Union and Zimbabwe Nurses Association initiated a health care strike. The government deployed the ZRP to monitor and contain the protests. Media alleged on June 23, ZRP officers wielding batons stormed Bindura General Hospital and indiscriminately attacked health-care workers participating in the strike.

Police and army members are the only legally recognized essential services employees and may not strike, but the law allows the Ministry of Public Service and Labor to declare any nonessential service an essential service if a strike is deemed a danger to the population, such as one by health-care workers. The law also allows employers to sue workers for liability during unlawful strikes, with penalties for conviction that include a fine, up to five years' imprisonment, or both.

Collective bargaining agreements apply to all workers in an industry, not just union members. Collective bargaining can take place at the enterprise and industry levels. At the enterprise level, workers councils negotiate collective agreements, which become binding if approved by 50 percent of the workers in the bargaining unit. Industry-level bargaining takes place within the framework of National Employment Councils. Unions representing at least 50 percent of the workers may bargain with the authorization of the minister of public service and labor. The law encourages the creation of employee-controlled workers' committees in enterprises where less than 50 percent of workers are unionized. Workers' committees existed in parallel with trade unions. Their role is to negotiate shop-floor grievances, while that of the trade unions is to negotiate industry-level grievances, notably wages. The minister and the registrar have broad powers to take over the direction of a workers' committee if they believe it is mismanaged. Trade unions regarded the existence of such a parallel body as an arrangement that allows employers to undermine the role of unions.

For a collective bargaining agreement to go into effect, the ministry must announce it, thus giving the minister the power to effectively block the agreement indefinitely by failing to announce it officially. The law allows the minister to veto a collective bargaining agreement if the minister deems it "contrary to public interest." The law further gives the minister authority to issue regulations on a wide array of matters including conditions of employment, thereby restricting collective bargaining. The minister also has the authority to issue an amendment or direct parties to negotiate an amendment to a collective bargaining agreement on grounds of legislative compliance, reasonableness, and fairness. Workers and employers at the enterprise level who come to an agreement outside of the official framework can submit it for registration by the minister, which makes it legally binding.

The Ministry of Public Service and Labor did not effectively enforce labor laws. Penalties for conviction of violations of freedom of association or collective bargaining laws were not commensurate with those for similar violations. Those charged with violating the law were subject to lengthy judicial delays and appeals. Penalties were regularly applied to violators. The government demonstrated an unwillingness to implement collective bargaining rights enshrined in the 2013 constitution, including through its limited participation in social dialogue under the Tripartite Negotiating Forum.

The Tripartite Negotiating Forum, a body established by law, formalizes dialogue efforts among government, labor leaders, and employers on social and economic policy. Labor unions, under the leadership of the Zimbabwe Congress of Trade Unions (ZCTU), stated the forum did little to address their demands for wage increases and labor law reform, and the government showed little progress in supporting workers' protections, fairness in addressing labor and national problems, or the peaceful resolution of labor disputes.

Government interference with trade union activity was common, including infiltrating unions to hamper their effectiveness and introducing new unions affiliated with the ruling party. Police and state intelligence services regularly attended and monitored trade union meetings and other activities. Police or ZANU-PF supporters sometimes prevented unions from holding meetings with their members and carrying out organizational activities. Although the law does not require unions to notify police of public gatherings, police demanded such notification.

Parastatal unions were generally perceived as progovernment. The Zimbabwe Federation of Trade Unions was regarded the largest progovernment trade union and a rival to the ZCTU, which had a history of alignment with opposition parties. The federation was launched in October 1996 with the stated purpose of providing an alternative to the ZCTU. It claimed more than 40 affiliates and to be the largest labor body in the country; however, precise membership numbers were not known.

The International Labor Organization's (ILO) Committee on the Application of Standards has noted serious violations of fundamental rights by government security forces, including a clear pattern of intimidation, arrests, detentions,

violence, and torture of union and opposition members. The committee has also noted persistent allegations of violations of the rights of freedom of assembly of workers' organizations.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, with exceptions for work for the national youth service and forced prison labor. Prisoners may be required to work in any type of employment but not for the private benefit of any person, except on the order of the prison commissioner.

The law does not clearly define forced labor. The government significantly decreased investigations and prosecutions and did not identify a single victim of forced labor or trafficking during the year, while NGOs assisted more than 60 victims of forced labor and trafficking. The government did not provide funding to implement its own national action plan against trafficking.

The government did not effectively enforce the law. No cases of forced labor were prosecuted. Forced labor, sometimes facilitated with official complicity, occurred in prisons, agriculture, mining, street vending, and domestic servitude. In 2021 the ILO expressed longstanding concerns regarding the use of forced labor as a penal sanction for expressing political views, and participation in peaceful assemblies including labor strikes, all of which are inconsistent with the country's obligations under ILO conventions on forced labor.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's Findings on the Worst Forms of Child Labor at <http://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The law prohibits employment or occupational discrimination based on race, color, gender, tribe, political opinion, creed, place of origin, disability, HIV status, and

pregnancy. The law does not expressly prohibit employment discrimination based on age, language, citizenship, social origin, sexual orientation, gender identity, or communicable diseases other than those related to HIV. The government did not effectively enforce antidiscrimination laws. Discrimination in employment and occupation occurred with respect to race, gender, disability, sexual orientation, HIV status and, for civil servants, political affiliation.

The constitution provides the same legal status and rights for women and men. Labor legislation prohibits sexual harassment in the workplace, and an employer may be held liable for civil remedies if found to be in violation of provisions against “unfair labor practices,” including sexual harassment. The law does not specify penalties for conviction of such violations. Women commonly faced sexual harassment in the workplace (see section 6).

There were no known formal complaints of wage discrimination filed with the Ministry of Public Service and Labor; however, women’s salaries lagged those of men in most sectors. Unions expressed their concern regarding gender-based wage disparities.

Women faced discrimination because of gender when seeking maternity leave provided for by law, and other gender-based benefits. A 2018 Oxfam study revealed societal views that women should have overall responsibility for domestic work but also participate in productive or income-generating activity. Demands on women were heightened during the farming season from October to March. Outside of the farming season, women often took part in the informal sector, including as artisanal miners. Women’s participation in the labor force was viewed as necessary due to economic hardship. Women were underrepresented in decision-making positions, despite a constitutional requirement that the government make efforts to have equal representation of men and women in all governmental institutions and agencies at every level.

Employment discrimination against migrant workers occurred, especially those employed in the informal sector. Persons with HIV, AIDS, or albinism faced discrimination in employment. Employers discriminated against members of minority ethnic groups whom they often perceived as opposition supporters. Persons with disabilities faced social and employment discrimination and lack of

access to many workplaces. LGBTQI+ persons faced discrimination in employment. Opposition officials reported employment discrimination based on political affiliation, in both governmental and nongovernmental employment.

e. Acceptable Conditions of Work

Wage and Hour Laws: Parliament-mandated National Employment Councils set the minimum wage for all industrial sectors through agreement between employers and labor unions. The minimum wage, when paid, seldom exceeded the poverty line due to inflation. Employers paid many agricultural and domestic workers less than minimum wage. Many public servants, including in the education and health sectors, earned salaries that put them below the poverty line due to rampant inflation and currency depreciation.

The law does not provide for a standard workweek, but it prescribes a minimum of one 24-hour continuous rest period per week. Unions and employers in each sector negotiate the maximum legal workweek. No worker may work more than 12 continuous hours. The law prescribes that workers receive not less than twice their standard remuneration for working on a public holiday or on their rest day. The law provides workers paid public holidays and annual leave upon one year of service with an employer.

Occupational Safety and Health: The government sets occupational safety and health (OSH) standards on an industry-specific basis. Occupational safety and health standards were up to date and appropriate for the main industries in the country. The law provides for workers to remove themselves from situations that endanger health or safety without jeopardy to their employment.

Abuses by management at certain enterprises and companies owned by People's Republic of China (PRC) parastatals and private PRC citizens were commonly reported, including reports of physical, sexual, and emotional abuse of workers; unsafe working conditions; underpayment or nonpayment of wages; unfair dismissals; firings without notice; failure to abide by collective bargaining agreements; and failure to report health and safety incidents. According to a report released in January, multiple sources alleged PRC-linked granite mining companies engaged in human rights abuses, poor working conditions, and violence

against employees, including Jinding Mining Company and Shanghai Haoyang Mining Investments. One villager reported witnessing a beating with a steel rod and the breaking of a 17-year-old's arm for arriving late to work at the mine.

In May, a publication reported the deaths in 2020 of three miners at Kunyu Mine in Banze were the result of unsafe working conditions. Representatives from the Progressive Mining and Allied Industries Workers Union of Zimbabwe alleged the incident was never investigated due to close ties between PRC enterprises and Zimbabwean authorities. In February, PRC-owned Freestone Mines closed a quarry following a public backlash when investigative journalists documented labor rights abuses and attempts to bypass environmental laws in companies owned by PRC parastatals and private PRC citizens.

The Zimbabwe Occupational Safety and Health Council reported 3,718 injuries and 55 fatalities from January through September, though one labor organization advised this number does not include all workers outside of factory-related environments. Most work-related injuries and deaths occurred in the mining sector due to low investment in occupational safety and health, noncompliance with rules and regulations, and poor awareness of safety and health practices due to lack of training. The growth of the informal mining sector led to increased exposure to chemicals and environmental waste for artisanal miners, including children. The Zimbabwe Environmental Law Association estimated 190 miners died in mining accidents in 2020.

Wage, Hour, and OSH Enforcement: The Ministry of Public Service and Labor is responsible for enforcing the minimum wage and work hours laws for each sector. The government did not effectively enforce these laws, particularly in the farming and domestic service sectors. The number of labor inspectors was insufficient to enforce labor laws, including those covering children. Penalties for violations of wage or working hour restrictions were not commensurate with penalties for comparable offenses. Penalties were sometimes applied against violators.

The government did not enforce occupational safety and health laws. Penalties were less than those for similar crimes, such as fraud or negligence. Penalties were sometimes applied to violators.

The quasi-governmental Zimbabwe Occupational Safety Council regulated working conditions. It reported conducting 3,397 factory inspections between January and September. Staffing shortages and a limited mandate, however, rendered the council largely ineffective. The law permits unannounced inspections, but the ZCTU charged in 2020 that proper workplace inspections had not been carried out for a long time. Poor health and safety conditions in the workplace were common in both the formal and informal sectors, affecting both workers and nearby residents. Environmental hazards in the gold mining sector included the use of cyanide, including river pollution.

Informal Sector: An estimated 80 to 90 percent of the country's workers labored in the informal sector. Labor laws technically apply to informal sector workers but were not observed or enforced. Most informal workers worked in agriculture, trading, or mining. An estimated 500,000 persons worked in small-scale or artisanal mining, according to the Zimbabwe Economic Policy Analysis and Research Unit, an independent think tank. Police frequently clashed with and arrested vendors in Harare's central business district. The district restricts the number of vendors to 6,000 per day but in practice, more than 100,000 vendors operated daily as of June. Vendors reported authorities arbitrarily confiscated their goods. In January, a town clerk linked to ZANU-PF in the Harare City Council ordered the demolition of informal vendor stalls in Mbare, a township located in the south of Harare. According to a civil society organization, this effort destroyed more than 500 stalls supporting thousands of families.